IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 459/2005

SMT. SANDHYA DEVI & ANR. Vs. STATE OF RAJASTHAN & ANR.

DATE: 06.02.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. Gajendra Bhawan for
Mr. Anoop Dhand for the petitioners.
Mr. Ashwani Kumar Sharma, PP for the State.

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The instant criminal revision petition under Section 397 Cr.P.C. is directed against the order dated 02.03.2005 passed by the Additional Chief Judicial Magistrate, Neem-Ka-Thana, District Sikar in Criminal Case No. 93/2005 for enhancement of sentence awarded to the accused and also for enhancement of compensation awarded to the petitioner No.1.

I have heard rival submissions of the respective parties and have also gone through the impugned order dated 02.03.2005.

So far as giving the benefit of probation under Section 4 of the Probation of offenders Act to the accused-respondent is concerned, looking to the offence committed by the accused under Sections 341 and 323 IPC, I find no good reason to interfere with the impugned order, but as regards compensation of Rs.

600/- awarded to the petitioner No.1, I deem it proper to enhance the same.

Therefore, the accused-respondent is directed to make the payment of Rs. 3,600/- as compensation to the petitioner No.1 after adjusting the amount which has been paid. If the accused-respondent has already make the payment of Rs. 600/- as compensation, then he is required to make the payment of Rs. 3,000/- to the petitioner No.1, failing which the accused-respondent will have to undergo one months' simple imprisonment in default of payment of compensation.

In view of the aforesaid observations, the impugned order dated 02.03.2005 passed by the Additional chief Judicial Magistrate, Neem-Ka-Thana, Sikar is amended as indicated herein above and the revision petition stands disposed of.

(K.S. RATHORE),J.

/KKC/